

Message Text

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ACTION SCS-03

INFO OCT-01 EUR-12 ISO-00 L-03 DHA-02 PM-04 NSC-05

SP-02 SS-15 DODE-00 CIAE-00 INR-07 NSAE-00 /054 W

-----171002Z 110498 /23

P R 170825Z JUN 77

FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC PRIORITY 8822

INFO AMCONSUL LENINGRAD

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E. O. 11652: N/A

TAGS: CASC, PORS, PROP, PDIP, MILI, UR

SUBJECT: EMBASSY EXCHANGE WITH MFA RE TEMPORARY DETENTION OF
AMCITS

REFS: MOSCOW 8254, MOSCOW 8204, MOSCOW 6433

1. CONSULAR COUNSELOR, ACCOMPANIED BY FIRST SECRETARY DARRYL JOHNSON, CALLED JUNE 16 AT THEIR REQUEST, ON MFA USA DIVISION COUNSELOR I. M. TRIFONOV AND SECOND SECRETARY YU. S. KAPRALOV. EMBASSY OFFICERS DELIVERED THREE NOTES (COPIES POUCHED TO DEPARTMENT) AS FOLLOWS: ONE EMBASSY NOTE RESPONDED TO MFA NON-PAPER OF JUNE 8 COMPLAINING OF ANTI-SOVIET ACTIVITY OF AMERICAN TOURISTS; SECOND NOTE RESPONDED TO MFA NON-PAPER OF SAME DATE REJECTING US COMPLAINT RE REFUSAL TO ALLOW PAUL SMITH AND WIFE TO PHONE EMBASSY DURING TASHKENT DETENTION, MAY 9. THIRD NOTE PROTESTED ROUGHING UP OF DAO ATTACHE DAVID MILLER AT RED SQUARE IN MOSCOW ON JUNE 11. BACKGROUND OF FIRST TWO INCIDENTS REPORTED REFTELS; MILLER INCIDENT REPORTED DAO MOSCOW MESSAGE SECRET 829 DTG 151449Z JUNE 77 TO DIA ATTN DC4.

2. CONCERNING COMPLAINT RE ANTI-SOVIET ACTIVITY, CONSOFF STATED THAT AMEMBASSY HAS NO CONTROL OVER AMCITS, BUT DOES WARN THEM OF SEVERITY OF SOVIET LAWS REGARDING MANY ACTIVITIES
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REGARDED AS LEGAL IN US. RE EXAMPLES OF THREE COUPLES CITED NON-PAPER, CONSOFF NOTED THAT MFA HAD FAILED TO NOTIFY CONSULAR OFFICER "IMMEDIATELY" AS CALLED FOR IN CONSULAR CONVENTION. HE ADDED THAT CONTINUED SOVIET FAILURE TO LIVE UP TO NOTIFICATION REQUIREMENT OF CONVENTION WOULD HAVE ADVERSE IMPACT ON AMERICAN TOURISM TO USSR.

3. TRIFONOV REACTED HEATEDLY, ASSERTING THAT IN NONE OF INSTANCES CITED HAD AMERICANS BEEN "DETAINED" IN LEGAL SENSE. HE ALLEGED THAT THEY WERE MERELY UNDERGOING ROUTINE CUSTOMS INSPECTION AND WERE EXPELLED AS SOON AS IT WAS DISCOVERED THEY HAD ILLEGAL ITEMS IN POSSESSION. CONSOFF RESPONDED THAT IN AT LEAST ONE OF CASES (THAT OF SILVERS COUPLE), DETENTION WAS FOR 24 HOURS AND THAT US SIDE CONSIDERS ANYONE TO BE IN DETENTION IF COMPETENT AUTHORITIES DENY HIM FREEDOM OF MOVEMENT FOR MORE THAN TWO HOURS, A DEFINITION WHICH TRIFONOV REJECTED. HE ALSO PROTESTED EMBASSY'S NOTE IN THAT IT BOTH "DEFENDED" AMERICANS INVOLVED IN ANTI-SOVIET ACTIVITY AND "THREATENED" TO CUT BACK AMERICAN TOURISM TO USSR.

4. IN HANDING OVER EMBASSY NOTE RE SMITHS, EMBOFF NOTED ANOTHER SOVIET VIOLATION OF CONSULAR CONVENTION IN THAT SMITHS HAD NOT BEEN PERMITTED TO HAVE TELEPHONE ACCESS TO EMBASSY DURING TASHKENT ORDEAL. TRIFONOV REPEATED PREVIOUS ALLEGATIONS THAT SMITHS HAD NOT BEEN DETAINED, HAD BEEN TREATED COURTEOUSLY AND THAT SMITH HAD NOT REQUESTED PERMISSION TO TELEPHONE EMBASSY. CONSOFF NOTED FAILURE OF SOVIET SIDE TO ABIDE BY NOTIFICATION PROVISION OF CONVENTION, WHICH TRIFONOV REJECTED ON GROUND THAT SMITHS HAD NOT BEEN UNDER "DETENTION" DURING THEIR ENFORCED STAY OF 19 HOURS IN TASHKENT AIR TERMINAL.

5. RE NOTE ON ROUGHING UP OF DAVID MILLER, TRIFONOV TOOK IT FOR STUDY BUT STATED HE COULD NOT ACCEPT PROTEST SINCE HE WAS NOT FAMILIAR WITH INCIDENT. HE AGREED, HOWEVER, TO LOOK INTO MATTER.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DETENTION, DIPLOMATIC NOTES, TOURISTS
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977MOSCOW08691
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
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Handling Restrictions: n/a
Image Path:
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Legacy Key: link1977/newtext/t19770646/aaaabnto.tel
Line Count: 97
Litigation Code IDs:
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Litigation History:
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Message ID: b702fc7a-c288-dd11-92da-001cc4696bcc
Office: ACTION SCS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 MOSCOW 8254, 77 MOSCOW 8204, 77 MOSCOW 6433
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 26-Aug-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2113661
Secure: OPEN
Status: NATIVE
Subject: EMBASSY EXCHANGE WITH MFA RE TEMPORARY DETENTION OF AMCITS
TAGS: CASC, PORS, PROP, PDIP, MILI, UR, US
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/b702fc7a-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009